



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alejandro MARTINEZ-Gonzalez,

Defendant.

) Mag. Case No.

'08 MJ 8434

) COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326

) Deported Alien Found In the United States

The undersigned complainant, being duly sworn, states:

On or about May 13, 2008, within the Southern District of California, defendant Alejandro MARTINEZ-Gonzalez, an alien, who previously had been excluded, deported, or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 15th DAY OF MAY 2008.

PETER C. LEWIS

United States Magistrate Judge

1  
2 UNITED STATES OF AMERICA

3 v.

4 Alejandro MARTINEZ-Gonzalez

5 STATEMENT OF FACTS

6 The complainant states that this complaint is based upon the statements of the  
7 apprehending Border Patrol Agent D. Tucker that the Defendant was found and arrested on May  
8 13, 2008, east of the Calexico, California.

9 Agent Tucker was performing his assigned Border Patrol duties approximately 7 miles  
10 east of Calexico. Agent Tucker was notified by the Remote Video Surveillance Systems (RVSS)  
11 operator that a group of suspected illegal aliens was making an illegal entry into the United States  
12 by crossing the United States/Mexico International Boundary. The RVSS operator maintained  
13 surveillance on the group as they ran north into the surroundings of the Alamo River.

14 Agent Tucker responded to the area and encountered several individuals hiding along  
15 the brush, one later identified as Alejandro MARTINEZ-Gonzalez. Agent Tucker identified  
16 himself as a United States Border Patrol Agent and questioned MARTINEZ-Gonzalez and the  
17 group as to their immigration status to be in the United States. All of the subjects stated they  
18 were citizens of Mexico and illegally in the United States. MARTINEZ-Gonzalez and the other  
19 subjects were placed under arrest and transported to the Calexico Border Patrol Station.

20 At the station, record checks revealed MARTINEZ-Gonzalez had been excluded through  
21 the San Ysidro, California, Port of Entry to Mexico on April 28, 2008. Record checks also  
22 revealed that MARTINEZ-Gonzalez has an extensive criminal history.

23 There is no evidence MARTINEZ-Gonzalez has sought or received permission from the  
24 Attorney General or the Secretary of the Department of Homeland Security to re-enter the United  
25 States.  
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27  
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